

**TOWN OF SUPERIOR
REGULAR COUNCIL MEETING MINUTES
MEETING FOR THE SUPERIOR TOWN COUNCIL HELD ON THURSDAY APRIL 14, 2016
AT 7:00 PM IN THE SUPERIOR AUDITORIUM 199 N. LOBB AVENUE, SUPERIOR,
ARIZONA, PINAL COUNTY ARIZONA.**

CALL TO ORDER: Meeting was called to order at 7:05 p.m. by Vice Mayor Lopez

ROLL CALL: Vice Mayor Olga Lopez,
Councilmember Michael Alonzo,
Councilmember Mila Besich-Lira,
Councilmember Steven Estatico.

Absent: Mayor Jayme Valenzuela, Councilmember Gilbert Aguilar, Councilmember John Tameron.

PLEDGE OF ALLEGIANCE: Council board led all staff and public in attendance in the Pledge of Allegiance.

INVOCATION: Father Samuel Jandeh, VC, Saint Francis of Assisi led the invocation

STAFF PRESENT: Interim Town Manager Todd Pryor
Interim Town Manager David Neuss
Attorney Stephen Cooper
P & Z Administrator
Town Staff Nora Miramon

PUBLIC ATTENDANCE:

Matt Bingham	Bill Vogler
Jim Vsevitch	Nancy Vogler
Henry Munoz	Merrilee Kinney
Tom Sprivgen	Hank Gutierrez
Delores Hatfield	Tina Gutierrez
Jim Schenck	Tom Engel

SPECIAL PRESENTATIONS: Presentation by Julian Avila, Community Relations Project Manager for ADOT, Introduction of Bill Harmon-District Engineer, Mindy-Senior Resident Engineer and Tom-Development/Permits. Mr. Harmon went on to do a power point along with handouts to all of the Councilmembers. Brief discussion over crosswalks or a crosswalk for the pedestrians crossing US Hwy 60. Presentation took about 10 minutes.

STAFF REPORTS

Manager Report, Todd Pryor- The month end is about the same as last month. The Town continues to operate within the monthly revenues, despite some large quarterly bills for dispatch and fire vehicle repair, as well as other department repairs. Overall, we are under budget and under revenues.

Audits-If the engagement letter with Colby and Powell is approved they will begin work in May. When that is done there will be another letter for Hinton Burdock to complete the actual audits.

HURF- The HURF fund has still brought in more revenue than we have spent by over 60,000.

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We will be bringing several programs to council over the next few months that can be partially or fully funded from the HURF source.

Elections-Councilmember's Besich-Lira, John Tameron and Vice Mayor Lopez are up for re-election. The packets for candidates are available at Town Hall and on our website for anyone who is interested they can download them.

Home Rule- The forms must be turned in by May 5th. The public hearings will be on 4/14 and 4/28/2016.

Recall Election-The recall petition has been received at Town Hall and it was immediately hand delivered to Pinal County Elections by Chief Neuss for signature verification.

Cemetery-A new flyer for the cemetery for distribution to mortuaries and to those who purchase plots. There have been a couple of incidents where the plots were being prepared and there was human remains. The graves were immediately re-closed and the relevant authorities were notified. There are older deeds that still exist in the older parts of the cemetery but no new plots are being sold in those sections.

Waste Water Treatment Plant- All repairs were completed. A pump will be purchased to facilitate better handling of the solid waste dumping in the amount of \$1900.

Transfer Station- Spoke to the Auditor General's office, they advised us that 75% of a Air Curtain Burner Machine could be paid for with HURF money. This will allow the Town to burn green waste and untreated lumber which is most of the pile at the transfer station. ADEQ has already approved this plan in writing and we have reconfirmed allowing us to move forward. Streets- They will be surveying the streets over the next several months and preparing a maintenance plan for us to follow. They are in contact with the Auditor General to verify that we are moving forward on a plan to rectify the HURF fund imbalance.

Fireworks- Fourth of July fireworks for the Town has been taken care of by Resolution Copper. They have agreed to cover the cost of \$5000 to provide this year's fireworks display for the public.

Interim David Neuss-Met with Pinal County Regional Transportation Meeting. This was to discuss the ½ cent tax that they are proposing for November ballot. This will give the Town itself \$300, 000 dollars a year for the next 20 years. Brief discussion with Council took place regarding the ½ cent tax and the impact to the business's and the residents. Reminder that the Animal Control Clinic is this Saturday. Letters went to all of the households that have delinquent accounts and we have had a positive response regarding those letters.

CONSENT AGENDA- Pursuant to Section 2-4-6 (D), matters listed under the Consent Calendar are considered to be routine and will be enacted by one motion and one vote. Prior to consideration of the Consent Agenda, the Mayor will ask whether any members of the Council request any item to be removed from the Consent Agenda for separate discussion.

Motion to approve the Consent Agenda was made by Councilmember Estatico, second by Councilmember Alonzo, motion carries.

NEW BUSINESS-

- A. Discuss/Possible Approval of Letter of Support for Asarco Tailings Facility.** Tom Aldridge, Vice President of Environmental Affairs for ASARCO. Presentation regarding the ASARCO mine and the proposed tailing site. Brief discussion took place and a motion was made.
Motion to approve the letter of support for the ASARCO Tailings was made by Councilmember Alonzo, second by Besich-Lira, motion carries.
- B. Discussion/Possible Approval of Letter of Engagement with Colby and Powell for Audit preparation for the 2013-2014 and 2014-2015 fiscal years.** This is the next step in bring our audits up to current. This service will cost us between \$15,000 to \$18,000 per year. Staff recommends accepting this letter of engagement.
Motion to accept the letter of engagement with Colby and Powell for Audit preparation for the 2013-2014 and 2014-2015 fiscal years made by Councilmember Estatico, Councilmember Besich-Lira, motion carries.
- C. Discussion/Possible Approval of Letter of Engagement with Colby and Powell for Finance Oversight.** Staff recommends accepting this letter of engagement. This action item would use Colby and Powell to replace the vital town functions provided by the position of Finance Director. Outsourcing this position will provide a significant savings to the town. This service will cost the town \$40,000.
Motion to approve letter of Engagement with Colby and Powell for Finance oversight made by Councilmember Alonzo, second by Besich-Lira, motion carries.
- D. Public Hearing to consider the Alternative Expenditure Limitation Option (Home Rule).** Vice Mayor Lopez open the public hearing. Home Rule Option was read by Todd Pryor. Mr. Pryor took a few minutes to explain what the Home Rule Option means. Hank Gutierrez, asked Todd if he is concerned that the Town will go over the 7 million expenditure or forecast?
Mr. Cooper fielded this question, and explained the process to Council and the public.

Jenny Holmquist, if we increase ½ cent tax on top of what we are now paying we will not see any new business's open here in Superior. We pay the highest sales tax already. She stated she has had people walk out due to the tax rate we currently impose now.

Roy Chavez, we need to remember that we need to be specific when talking about money and what direction we are taking. Home Rue, he went on to remind the Council how they failed to act a few years ago on the Home Rule and he feels that is when all of the problems we now have begun.

Todd Pryor tried to explain that this is not a ½ cent tax that the town is imposing this is an item that will be in the upcoming election. If this passes the Town can go back and reconsider the tax it has in place and possibly make some changes.

Vice Mayor Lopez, closed this public hearing.

- E. Public Hearing to consider an amendment to Article XVIII (Non-Conforming Uses) of Zoning Ordinance.** Mr. Tomasello, Zoning Administrator, His recommendation is to approve Ordinance No. 16-134 (Zone Change No. 2016-01) amending in part Article XVIII (Non-Conforming Uses).

During the Planning and Zoning Commission Public hearing on December 17, 2015, one of items discussed was elimination of a portion of Article 18 (Non-Conforming Uses) that did not permit rebuilding of a non-conforming structure if it was destroyed by more than 50%. On January 21, 2016, the Commission approved Resolution No. 16-01 recommending that Council approve Zone Change No. 2016-16, as amended. This is to allow rebuilding of such structures provided certain requirements would be met. Brief discussion with Mr. Roy Chavez and Mr. Hank Gutierrez, clarifying the meaning of this Zone Change No. 2016-01.

Vice Mayor Lopez closed public hearing and returned to regular session.

- F. Discussion/Possible Discussion/ Possible Approval of Ordinance No 16-135 amending the Town Zoning Code.**
Motion to approve Ordinance No 16-135 made by Councilmember Besich-Lira, second Councilmember Estatico, motion carries.
- G. Discussion/ Possible Approval of DEMA/FEMA Grant for the generator of the Waste Water Treatment Plant.** Staff recommends moving forward with this application, to be withdrawn if additional funding is not located. This grant requires a significant match. We will be seeking funding through other sources for this copay. The total for the grant is \$224,096.25, with the Town's share of \$56,024.06.
Motion to approve DEMA/FEMA Grant for the generator of the Waste Water Treatment Plant made by Councilmember Alonzo, second by Councilmember Estatico, motion carries.
- H. Discussion/ Possible Approval of Proposed 2015-2016 Emergency Services Contract Expenditures.** Staff recommends approving the proposed budgets. The Emergency Services contract calls for the Town to submit a budget for proposed expenditures covered by the contract. This budget would cover the remainder of the 2015-2016 fiscal

year. RCM representatives have reviewed and approved these budgets. Ms. Besich-Lira read the list of equipment that will be purchased, for transparency purposes.

Motion to approve the proposed 2015-2016 Emergency Services Contract Expenditures made by Councilmember Estatico, second by Councilmember Alonzo, motion carries.

I. Discussion/Possible Approval of Transfer to School District pursuant to A.R.S. 15-972(K). Staff recommends approving this transfer.

The State legislature has passed a law requiring that all residential property tax over 1% collected by the town must be transferred to the school districts. Superior's high tax rate means that the re-imbursement to the Superior Unified School District is higher than many other communities. The Transfer itself is state law and not an option.

Motion to approve the transfer to School Districts pursuant to A.R.S. 15-972(K) made by Councilmember Besich-Lira, second by Councilmember Alonzo, motion carries.

J. Discussion/ Possible Approval of Downtown Art Project by the Chamber of Commerce. Mr. Pete Casillas wanted the Town's approval to paint murals at the Food Court Bathroom outside walls and the food stalls. He presented some drawings for the Council to look at. After brief discussion the Council decided to table this item. Mr. Casillas was told he needs to take this to Planning and Zoning and he needs to have the sketches of what exactly they would like to paint. They need to make sure it is appropriate and not offensive to the public.

Motion to table item J, Downtown Art Project by the Chamber of Commerce was made by Councilmember Alonzo, second by Councilmember Besich-Lira, motion carries.

K. Discussion/Possible Appointment of a selection committee to consider applicants for the Town Clerk position. The selection committee would review the applications and make a selection. This selection would be confirmed by the full council at the next scheduled council meeting.

Motion to appoint a selection committee to consider applicants for the Town Clerk position.

L. Discussion/ Possible Appointment of Todd Pryor as Town Manager. Councilmember Besich-Lira began the discussion regarding the appointment of Mr. Pryor as Town Manager. Councilmember Estatico and herself suggested that he put this on the agenda for consideration. He has been with the Town for many years and has stepped up to the plate when all of the changes began to take place. He has done a great job in dealing with the many issues at hand and working with the public. He has kept this Council totally informed as to everything that is going on with the Town and the projects. Mr. Estatico

stated that they are all up to date on a lot of things they have been asking about. Training would be available. Mr. Alonzo stated that he is happy with the progress a lot of the things they have been asking for and were told that due to software were not possible are now being done and we are now getting information on a regular basis. Mr. Pryor stated that the Fire Chief is a Council appointed position. In the meantime, he would have to make sure things move forward and empower some individuals to take the day to day management roles. Ms. Lopez stated Mr. Pryor know what we have been up against. He has been here from day one and know our challenges and you have enough experience. Like everyone has stated we are all so knowable to everything is going on with in the Town. Mr. Cooper stated he needed to be directed by member of Council to draw up a contract and have a details of that contract be brought back and discussed before Council.

Motion to have Councilmember Estatico to negotiate a contract made by Councilmember Besich-Lira, second by Councilmember Alonzo, motion carries.
Hand vote - 4 yes votes, 3 absent, 0 no votes

- M. Discussion/Possible Approval of Operations Plan for the Superior Rest Stop and Cost.** This plan involves expending approximately \$4000 plus labor to refurbish and upgrade the fixtures with more durable replacements. The hours of the rest stop would be shortened from 10pm to 7pm, in order to lessen vandalism done under the cover of darkness. Staff recommends accepting this Operations Plan. Mr. Huerta, Public Works Supervisor explained all the fixtures that need to be replaced and how they are trying to eliminate suppling with paper towels and get fixtures that do not have moving parts that can be broken.

Motion to approve Operations Plan for the Superior Rest Stop and Cost made by Councilmember Alonzo, second by Councilmember Estatico, motion carries.

- N. Discussion/Possible Approval of Alcohol Permit for the Fiestas.**

Motion to approve the Alcohol Permit for Fiestas made by Councilmember Besich-Lira, second by Councilmember Estatico, motion carries.

- O. Discussion/Possible Approval of Consolidation of Singers of the Chase accounts to those used with the Bank of the West.** In order to simplify administration, it is necessary to make the signers on all the Town Bank accounts the same. Signers are Councilmember Estatico, Todd Pryor and Vice Mayor Lopez.

Motion to approve Consolidation of Singers of the Chase accounts to those used with the Bank of the West made by Councilmember Besich-Lira, second by Councilmember Alonzo, motion carries.

CALL TO THE PUBLIC:

Merrilee Kinney- Update on the activities at the Caboose Visitor Center. The volunteers put in about 300 + hours this winter. More than 1,369 potential customers came thru the visitors. There is a collage that helps direct visitors to sights and business's in our Town. Lots of displays regarding the history of the area. She invites the council to visit the Caboose to see the displays and all that the Caboose has to offer. They are also looking for volunteers for the Caboose.

Roy Chavez- Under Item B & C, had some comments regarding hiring Colby & Powell Costing the Town 73,000 also agreeing that this is a cost savings. By doing this will this take the responsibility from the Town Clerk and the Town Manager under the Town Code or does this has to be changed. He feels that the same process for hiring a Town Clerk should be used in hiring a Town Manager.

Jim Schencil- Process regards to hiring Todd Pryor as Town Manager, as far as training. His Suggestion for Todd and Steve is he needs to be more explicit in regards to training and how this will be done.

SUMMARY OF EVENTS

Ms. Besich-Lira, Just a reminder to every one of our 2nd Friday of every month. There is music in the park and the businesses are open till 9pm. Next one is May 13, they have been a lot of fun. Lost Trail Hike on Saturday it is free. CAC is having a meeting and it is important to have support. They have been shut down the Aravaipa Campus which will affect us and the surrounding community.

Mr. Alonzo-Reminder, on Monday April 18, the Little League Parade will begin at 4:00 pm The parade will start at the top of Magma and stop at St. Francis Catholic Church. Then there will be a appreciation ceremony for the T-Ball League which will end their season and Regular Little League season will begin. Please come out and support our kids and take a look at the new dugouts and all the improvements that have been done.

Mr. Estatico-Superior retreat at the high school at 8:00 a.m. May 17 Prop 123 is to support funding. Congratulated Todd as Town Manager.

Vice Mayor Lopez-The T-Ball season is coming to an end and the dugout are really nice. It is safer for the kids coming in and out of the dugouts.

Todd Pryor-Wants to remind everyone about the animal clinic this Saturday. Their might still be room available to get in.

SCHEDULING OF MEETINGS AND EVENTS

Planning and Zoning Meeting, April 21, 2016 at 6 pm
Council Meeting May 12, 2016 at 7 pm

EXECUTIVE SESSION

None

ADJOURNMENT

Motion to adjourn meeting made by Councilmember Besich-Lira, second by Councilmember Alonzo, motion carries. Meeting adjourned at 9:10 pm.

Mayor, Jayme Valenzuela

Attorney, Stephen Cooper

Attest:

Town Manager, Todd Pryor

